

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

SAMSON EUGENE JAMES,

Plaintiff,

VS.

MAXINE BLACKWELL;

et al.,

Defendants.

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NO.: 5:16-CV-00522-MTT

ORDER

Pro se Plaintiff Samson Eugene James filed a 42 U.S.C. § 1983 action in this Court on December 1, 2016. ECF No. 1. He also sought leave to proceed without prepayment of the filing fee. ECF No. 2. Plaintiff was incarcerated in the Baldwin County Jail at the time, and he complained of injuries suffered while confined in the jail during 2016. *Id.* Plaintiff notified the Court on January 3, 2017 that he had been released from jail and provided his current address. ECF No. 6.

The Court could neither decipher the allegations in Plaintiff's complaint nor determine the nature of his claims. Therefore, on February 21, 2017, the Court ordered Plaintiff to recast and amend his complaint. ECF No. 7. Because Plaintiff had been released from jail since filing his complaint, the Court ordered Plaintiff to submit a non-prisoner's pauper affidavit in support of his request to proceed without prepayment of the filing fee. ECF No. 7 at 1. Plaintiff was given fourteen days to respond and was told that failure to do so would result in dismissal of his action. ECF No. 7 at 3.

Plaintiff failed to respond to the February 21, 2017 Order. On April 4, 2017, the Court ordered Plaintiff to respond and show cause why his case should not be dismissed for failure to respond. Plaintiff was given fourteen days to respond and was again told that failure to do so would result in dismissal of his case.

Plaintiff failed to respond. Because Plaintiff has failed to respond to the Court's Orders or otherwise prosecute his case, this action is **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 31st day of July, 2017.

S/ Marc T. Treadwell
MARC T. TREADWELL
UNITED STATES DISTRICT COURT